United Nations Convention on the Law of the Sea SPLOS/293

Meeting of States Parties

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Twenty-fifth Meeting (resumed)
New York, 15 January 2016

Report of the twenty-fifth Meeting of States Parties resumed to elect one member of the International Tribunal for the Law of the Sea and one member of the Commission on the Limits of the Continental Shelf

I. Introduction

1. The twenty-fifth Meeting of States Parties to the United Nations Convention on the Law of the Sea was resumed at Headquarters on 15 January 2016, pursuant to paragraph 47 of General Assembly resolution 70/235, for the following purposes:

(a) To elect one member of the International Tribunal for the Law of the Sea, in accordance with article 4 of annex VI to the Convention, to fill a vacancy arising from the resignation of a member elected from the Group of Latin American and Caribbean States;

(b) To elect one member of the Commission on the Limits of the Continental Shelf, in accordance with article 2 of annex II to the Convention, to fill a vacancy arising from the resignation of a member elected from the Group of Eastern European States.

2. With regard to the election of the member of the Tribunal, the Meeting had before it a note by the Registrar of the Tribunal on the election procedures (SPLOS/288), the list of candidates nominated by States parties (SPLOS/289) and the curriculum vitae of the candidate nominated by the Government of Brazil (SPLOS/290). With regard to the election of the member of the Commission, the Meeting had before it a note by the Secretary-General on the subject (SPLOS/291).

II. Opening of the resumed twenty-fifth Meeting

3. The President of the twenty-fifth Meeting, Kriangsak Kittichaisaree (Thailand), opened the resumed Meeting, noting that the resumption represented the first application of the understanding adopted in 2013 by the twenty-third Meeting that the Meetings could be adjourned and resumed as required and would terminate when the next Meeting was convened (see SPLOS/263, para. 101).

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Statement by the Legal Counsel

4. In his statement, the Legal Counsel recalled that the Commission faced a significant workload, indicating that 77 submissions and 4 revised submissions had been received to date. Noting that no candidate had been nominated to fill the vacancy in the Commission, he stressed with concern that the lack of a full membership had a direct adverse impact on the discharge of the Commission's functions, as provided for in article 3 of annex II to the Convention, and impaired the members' conditions of service in considering submissions. He also drew attention to the fact that, to optimize the resources of the Secretariat, the election of the member of the Tribunal had been postponed so that it could be conducted at the same time as the election of the member of the Commission.

III. Adoption of the agenda and organization of work

5. The President introduced the provisional agenda (SPLOS/L.76), proposing the inclusion of two additional items, "Election of a Vice-President" and "Report of the Credentials Committee". The agenda was then adopted, as amended (SPLOS/292).

IV. Election of a Vice-President

6. The Meeting elected Pablo Adrián Arrocha Olabuenaga (Mexico) as Vice-President, in accordance with rule 19 of the rules of procedure (SPLOS/2/Rev.4), in the light of the unavailability of Alejandro Sousa Bravo (Mexico) to continue to serve in that capacity for the remainder of the twenty-fifth Meeting.

V. Report of the Credentials Committee

7. The Credentials Committee met on 15 January 2016. The Committee elected by acclamation Natalie Morris-Sharma (Singapore) as Vice-Chair. In view of the absence of the Chair, James Waweru (Kenya), Ms. Morris-Sharma served as Acting Chair.

8. On 15 January 2016, the Acting Chair introduced an addendum to the report of the Credentials Committee to the twenty-fifth Meeting as approved by the Meeting on 10 June 2015 (SPLOS/285). She recalled the decision of the twenty-fifth Meeting to consider the credentials approved by the Meeting on 10 June 2015 to be valid until the termination of the Meeting in accordance with rule 1 of the rules of procedure (see SPLOS/287, para. 13). She stated that the Committee had accepted the new and amended formal credentials and the new and amended communications received after the issuance of its report at the twenty-fifth Meeting, on 10 June 2015. As a result, the Committee, in its meetings of 10 June 2015 and 15 January 2016, had accepted the credentials of the representatives of a total of 145 States parties to the Convention, of which 95 had been received in due form and 50 on the understanding that formal credentials would be communicated to the Secretariat as soon as practicable.

9. The Meeting approved the addendum to the report of the Committee (SPLOS/285/Add.1) without a vote.

VI. Election of one member of the International Tribunal for the Law of the Sea

10. The President informed the Meeting of the election procedures, recalling articles 2, 3, 4 and 6 of the statute of the Tribunal, rule 70 of the rules of procedure and the arrangement for the allocation of seats on the Tribunal and the Commission approved by the nineteenth Meeting (SPLOS/201).

11. The representatives of Austria, the Dominican Republic and Ghana acted as tellers.

12. In the one round of balloting, Antonio Cachapuz de Medeiros (Brazil) was elected as a member of the Tribunal, with 126 votes in favour and 1 abstention. He will serve for the remainder of the nine-year term of his predecessor, which ends on 30 September 2017.

13. On behalf of the Meeting, the President congratulated Mr. Cachapuz de Medeiros on his election.

VII. Election of one member of the Commission on the Limits of the Continental Shelf

14. The President recalled that the election was necessary to fill the vacancy arising from the resignation of a member elected from the Group of Eastern European States. He noted, however, that no candidate had been nominated during the nomination period, which had expired on 31 December 2015, and that no late nomination had subsequently been received.

15. The representative of Albania, as the delegation chairing the Group of Eastern European States for January 2016, said that consultations within the Group would continue with a view to presenting a candidate for election at the twenty-sixth Meeting, to be held from 20 to 24 June 2016.

16. The Meeting noted that the forty-first session of the Commission would be held in July and August 2016, after the twenty-sixth Meeting. It also noted the need to optimize the resources of the Secretariat and of all participating delegations and to maximize the time for consultations within the Group of Eastern European States. The Meeting therefore decided that the election would be held at the twenty-sixth Meeting, in June 2016.

Appointment of a coordinator of the open-ended working group on the conditions of service of the members of the Commission on the Limits of the Continental Shelf

17. Alex Lennox-Marwick (New Zealand) indicated that she would not be in a position to continue to serve as a coordinator of the open-ended working group on the conditions of service of the members of the Commission on the Limits of the Continental Shelf beyond March 2016 and that informal consultations to identify her successor were being conducted.

18. The Meeting decided that a successor to Ms. Lennox-Marwick would be appointed at the twenty-sixth Meeting, in June 2016, and encouraged the regional groups to consult in that regard. During the interim period, the working group would be coordinated by the other coordinator, Mr. Waweru (Kenya).